

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

CHARLES E. BROWN,

Civil Action No. 1:CV-00-1224

Plaintiff

vs.

COUNTY OF SCHUYLKILL,
SCHUYLKILL COUNTY PRISON
SCHUYLKILL COUNTY PRISON
BOARD MEMBERS,
FRANCIS V. MCANDREW,
FORREST L. SHADLE,
JEROME P. KNOWLES,
STANLEY H. TOBASH,
DAVID J. KURTZ,
GERALD BRITTON,
EUGENE BERDANIER,
WILLIAM E. BALDWIN,
and ANTHONY KANKOWSKI,

Defendants

20
Copy
FILED
SCRANTON

MAR 12 2001

PER *[Signature]*
DEPUTY CLERK

AFFIDAVIT OF EUGENE BERDANIER
IN SUPPORT OF MOTION OF DEFENDANTS,
COUNTY OF SCHUYLKILL, ET AL., TO DISMISS THE COMPLAINT
OR, IN THE ALTERNATIVE, FOR SUMMARY JUDGMENT

COMMONWEALTH OF PENNSYLVANIA:

: ss.

COUNTY OF SCHUYLKILL

:

Eugene Berdanier, being duly sworn according to law, deposes and says that:

1. He is the current appointed and acting Deputy Warden of Schuylkill County Prison.
2. He has been employed by the Schuylkill County Prison since September 2, 1986, and was promoted to supervisor on May 27, 1992, Deputy Warden on

August 4, 1997, and acting Warden as of April 1, 1999, and Deputy Warden upon the appointment of the current Warden, Gerald Britton, as of July 25, 1999.

3. His duties as Deputy Warden involve maintaining prison records, computing sentences, coordinating hearings with district justices and the Court and working under the supervision of the Warden.

4. A true correct copy of the Grievance Procedure set forth in the Schuylkill County Prison Resident Rules and Regulations, given to each resident, a true and correct copy of which is attached hereto as Exhibit "A".

5. A review of plaintiff's prison file reveals no grievance relative to the prison conditions subject to this action or to any of the allegations as averred in the Complaint.

6. With regard to the specific prison conditions, as alleged, Affiant avers as follows:

(a) The entire prison has undergone a cleaning and painting process. All tables and floors are cleaned at least three times a day. Each resident is responsible for the cleanliness of his own cell.

(b) With regard to the allegation of sleeping on a mattress, plaintiff affirmatively chose a mattress as opposed to a cot. A true and correct copy of plaintiff's selection form is attached hereto as Exhibit "B".

(c) With regard to the allegations as to bugs, a professional exterminator, J.C. Erhlich Company, is contacted for pest control, and on July 19, 2000, all blocks were evacuated and extensive treatment was done in each cell plus the day room and shower area and J.C. Erhlich Company is on a regular schedule for pest control. A true and correct copy of the Agreement with J.C. Erhlich and invoices submitted are attached hereto as Exhibit "C".

(d) With regard to plaintiff's allegations of disciplinary confinement and denial of disciplinary yard time, plaintiff's prison file reveals that plaintiff was provided with numerous disciplinary hearings

relative to this violations of prison rules and regulations, copies of which are attached hereto. A true and correct copy of conduct complaints and disciplinary hearing findings contained in plaintiff's prison file are attached hereto and marked Exhibit "D".

7. Gerald Britton, named as a defendant herein, is the current Warden of Schuylkill County Prison having assumed duties upon his appointment on July 25, 1999. Accordingly, Warden Britton would have no knowledge and no involvement in the Schuylkill County Prison prior to July 25, 1999.

8. David Kurtz, identified as a defendant herein, is the former Warden of Schuylkill County Prison, having served in that capacity until his resignation on April 9, 1999. Accordingly, former Warden Kurtz had no involvement or responsibility at the prison subsequent to April 9, 1999.

9. Plaintiff is no longer incarcerated at the Schuylkill County Prison and was transferred to the State Correctional System on August 15, 2000. According to the Summons filed in this case, plaintiff's current address is Mr. Charles E. Brown, SCI-CH, EJ6142, P.O. Box 200, Camp Hill, Pa., 17001.

Eugene Berdanier
Eugene Berdanier

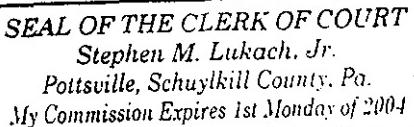
Sworn and subscribed to before :

:
me, a Notary Public, this 7th :

:
day of March, 2001.



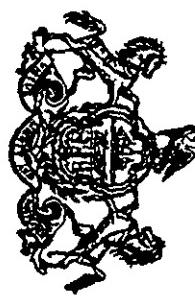
NOTARY PUBLIC



SCHUYLKILL

COUNTY

PRISON



RESIDENT

RULES AND REGULATIONS

POTTSVILLE, PENNSYLVANIA 17901

REVISED: 1/25/96

- 9. Communication and Grievance Procedure

- A. The following procedures have been established to insure that all inmates have the opportunity for formal communication with members of the Prison Administration.
 - B. All communications of an official nature are to be submitted in accordance with the guidelines listed below.
 - C. The Prison Administration encourages meaningful communication and will not tolerate communication of an obscene, disrespectful, threatening, frivolous or harassing nature. Such behavior will result in your being written up for a misconduct and/or criminal prosecution where appropriate.
 - D. **Resolving routine problems:** You are directed to follow these steps in resolving routine problems:
 - a. consult with the officer supervising your housing unit or work detail.
 - b. consult with the Supervisor.
 - c. request permission for an Inmate Request Form.
 - E. **Emergency Communication:** Routine procedures are suspended for emergency purposes. In such cases, consult the nearest staff member available.
 - F. **Routine Communication:**

Inmate Request Form: This form alerts the staff member to whom it is directed that you wish to consult him/her on a specific matter.

You are required to state the nature of your request and all relevant information.

The form provides for the staff member's written response which will be forwarded to you in the event an interview with the staff member is not necessary.
 - G. **Grievance Procedure:** This can be handled by requesting an Inmate Request Form and send it out to the appropriate member of staff.
- Note: Appeals to disciplinary actions must be in writing to the Warden.

10. Visiting Procedures

Visiting privileges are granted to all inmates in accordance with the regulations established below:

- A. **Visitation Types:**
 - Professional visits — Visits by clergy, attorneys, law

enforcement professionals, etc. are permitted during the week (Monday-Friday) between 8 AM — 4 PM.

— Family visits — Family or friends can visit on the inmates designated day. Each visit is 30 minutes. The inmate can contact anyone wishing to visit and inform them of what day his/her visiting is allowed.

B. General Provisions:

- All visitors must be 18 years of age or older, except for inmates immediate children. Children must be supervised by an adult.
- Visitors on parole or probation or out on bail are forbidden to visit unless prior approval has been given by Warden or Deputy Warden.
- Inmates are not permitted to take any articles to or from the visiting area. Any articles to be sent out must be taken care of the morning of visiting during the week.
- Visitors may bring only items approved on list posted. If any questions, they are to ask the Correctional Officer.
- Visitors may be required to produce some form of valid identification and are required to register prior to visit.
- Visits are to be conducted so as not to disturb others in the area. Loud, boisterous, profane, and/or obscene conduct will not be tolerated.
- Visitors are subject to full search procedure at all times while on Prison property. This includes vehicles and packages.
- Visitors are subject to all laws and regulations regarding contraband, escape and general conduct. Serious violations may result in criminal prosecution and/or restriction of visiting status. Indications of criminal activity will result in the visitor being detained on premises pending arrival of police.
- Visitors will not be admitted if, in the opinion of prison staff, they are intoxicated, under the influence of drugs or their presence disrupts visiting procedure.
- Normal visitation procedures may be suspended indefinitely during any state of emergency.

11. Financial Accounts

- A. Upon your arrival, any cash in your possession will be maintained in a Prison Account. Negotiable instruments, checks, credit cards, etc. will be maintained with your personal effects or locked up out front in office. You are not permitted

BLOCK REPORT

SCHUYLKILL COUNTY PRISON

POTTSVILLE, PENNSYLVANIA

Bg#65

B/m

203-60-2713

17901

DATE: 10/18/00 TIME: 12:25 p.m. CELL NO: E-17RESIDENT: Brown, CharlieADDRESS: 2146 Green St.DOB: 10/14/80 HT: 5' 8" WT: 170 EYES: brn HAIR:SEARCHED: 10/18/00 BY: Kunz

SCARS, MARKS, TATTOOS, ETC:

NONE

FINGER-PRINTED: _____ PHOTO-GRAPHED: _____

FINGER-PRINTED, PHOTO-GRAPHED, AND I. D. BY: _____

COMMENTS/REMARKS:

SHOWER: _____ LINEN: 1 HAND-BOOK: _____ PHONE CALL: _____PUBLIC DEFENDER APPLICATION: _____ UNIFORMS: 1(48) HOUR ISOLATION DATE COMPLETED: NO 48SUPERVISOR/ DESK - SIGNATURE:
OFFICERJt Mabt J Spur was not
here above
present

I, Charles Brown, AN UNSENTENCED RESIDENT OF THE SCHUYLKILL COUNTY PRISON, DO HEREBY VOLUNTEER TO PARTICIPATE IN ASSIGNED WORK DETAILS OR BE ISOLATED FROM THE POPULATION.



OFFICE OF

THE SCHUYLKILL COUNTY PRISON

DAVID J. KURZ, Warden

WHITEVILLE, PA.
17982

TEMPORARY HOUSING

INMATE'S REQUEST FORM

UPON ENTERING POPULATION I, Brown, Charlie

REQUEST TO HAVE:

✓ MATTRESS

COT

Cup + Eating Utensil

NAME: X Charlie Brown

DATE: 10/18/00

F-BLK-SHW-CLN. 11-19-98

Bag #35

B/M,

SS# 203-60-2713

BLOCK REPORT

SCHUYLKILL COUNTY PRISON

POTTSVILLE, PENNSYLVANIA

F-12 U1-12-98
F-18(8-19-98)

17901

L-24

E-14

DATE: 1-19-98 TIME: 12:35 P.M. CELL NO: ERESIDENT: Brown, Charles, EADDRESS: 2146 GREEN ST HARRISBURG PA 17104DOB: 10-14-60 HT: 5'5" WT: 160 EYES: Brown HAIR: BrownSEARCHED: Strip BY: C/o AndruetekSCARS, MARKS, TATTOOS, ETC: two bullet holes right shoulderFINGER-PRINTED: 12-2-96 PHOTO-GRAPHED: 12-2-96FINGER-PRINTED, PHOTO-GRAPHED, AND I. D. BY: C/o HubiakCOMMENTS/REMARKS: Attempt to commit a crime - engage in a conspiracy to commit a crime
prohibit offensive weapons - Simple assault - aggravated assault - recklessly endangering
another person - criminal mischief - receiving stolen property - resisting arrest
firearms not to be carried without a license Bail \$1 150,000SHOWER: LINEN: ✓ HAND-BOOK: PHONE CALL: PUBLIC DEFENDER APPLICATION: UNIFORMS: (48) HOUR ISOLATION DATE COMPLETED: 1-21-98 12:35 P.m.SUPERVISOR/ DESK - SIGNATURE: C/o Andruetek
OFFICERI, Charles E Brown, AN UNSENTENCED RESIDENT OF THE SCHUYLKILL
COUNTY PRISON, DO HEREBY VOLUNTEER TO PARTICIPATE IN ASSIGNED WORK DETAILS
OR BE ISOLATED FROM THE POPULATION. * KEEP SEPERATE From MARSHALL, D C/BL
1-5-99



OFFICE OF

THE SCHUYLKILL COUNTY PRISON

DAVID J. KURTZ, Warden

POTTSVILLE, PA.
17901

1998

TEMPORARY HOUSING

INMATE'S REQUEST FORM

UPON ENTERING POPULATION I, BROWN, C.

REQUEST TO HAVE:



MATTRESS

COT

NAME: Charles Brown

DATE: 1-21-98



OFFICE OF

THE SCHUYLKILL COUNTY PRISON

DAVID J. KURTZ, Warden

HONEYVILLE, PA.
EZ901

19

TEMPORARY HOUSING

INMATE'S REQUEST FORM

UPON ENTERING POPULATION I,

Brain, Charles

REQUEST TO HAVE:



MATTRESS

COT



cup + EATING Utensil

NAME: X Charlie Brain

DATE: 11-17-99

03/07/2001 11:19 570-628-1934

JC EHRLICH COMPANY

PAGE 02

Pest Control Service Agreement

P. O. BOX 689
 408 SOUTH C.A. LORD BLVD.
 POTTSVILLE, PA 17901-3963
 717-622-3760 FAX # 717-622-3785

Tremont 603-2428 Shenandoah 482-2782
 Lehighton 377-4638 Freckville 874-4666
 Tamaqua 666-1133 Elizabethville 362-6661

Ehrlich

Since 1928

228211

INVOICE TO Schuylkill County PrisonDATE March 72001ADDRESS 230 Sanderson StreetCITY Pottsville, PA ZIP CODE 17901 PHONE (570) 628-1450
AREA CODE 570

ATTN: (IF NECESSARY)

JOB LOCATION _____ PHONE ()
AREA CODE

SERVICE TO BE RENDERED FOR CONTROL OF: _____ ZIP CODE _____

SPECIAL INSTRUCTIONS AND AREAS TO BE SERVICED

Treat kitchen, staff dining room, storage area, and vending areas
inside the main entrance. Treat control rooms only on request.

YOU, THE BUYER, MAY CANCEL THIS TRANSACTION AT ANY TIME PRIOR TO MIDNIGHT OF THE THIRD BUSINESS DAY AFTER THE DATE OF THIS TRANSACTION.

MONTHLY SERVICES \$	<u>40.00</u>	SALES TAX	PER MONTH	\$	SALES TAX
(ANNUALLY)					
SERVICE FOR	DEODORIZER UNITS \$		PER MONTH	\$	SALES TAX
(ANNUALLY)					
BEGINNING	CHARGE FOR INITIAL SERVICES \$				
BILLING:	SERVICE FREQUENCY:				
MONTHLY	ONCE PER MONTH				
QUARTERLY (IN ADVANCE)	X TWO PER MONTH				
X SEMIANNUAL (IN ADVANCE) 2% DISCOUNT	WEEKLY				
ANNUALLY (IN ADVANCE) 5% DISCOUNT	OTHER <small>(SEE SPECIAL INSTRUCTIONS)</small>				
COO	PAID ON ACCOUNT \$				
CHARGE	BALANCE \$				
TOTAL \$					
PAID ON ACCOUNT \$					
BALANCE \$					

IN THE EVENT FULL PAYMENT IS NOT MADE WITHIN 30 DAYS AFTER INVOICING A FINANCE CHARGE WILL BE ADDED TO THE UNPAID BALANCE. IF A FINANCE CHARGE APPEARS ON THE STATEMENT, IT WAS COMPUTED BY A PERIODIC RATE OF 1 1/4% PER MONTH WHICH IS AN ANNUAL PERCENTAGE RATE OF 18% ADDED TO THE PREVIOUS BALANCE AFTER DEDUCTING CURRENT PAYMENTS, AND/OR CREDITS APPEARING ON THE STATEMENT, EXCEPT THAT A MINIMUM LATE CHARGE OF \$1.00 MAY BE IMPOSED.

J. C. EHRLICH Co., Inc.ACCEPTANCE OF AGREEMENT
THE ABOVE QUOTATIONS ARE HEREBY ACCEPTED BASED ON THE TERMS AND CONDITIONS AS FOUND ON THE REVERSE SIDE

REPRESENTATIVE

CUSTOMER

FOR OFFICE USE ONLY

DISTRICT OFFICE 2-Pottsville
SERVICE TECH 530 BILLING CLASS

DATA PROCESSING

1002765-01

ACCOUNT NUMBER

Pest Control Service Agreement

P. O. BOX 689
408 SOUTH C. A. LORD BLVD.
POTTSVILLE, PA 17901-3963
717-622-3760 FAX # 717-622-3785

Tremont	695-2428	Shenandoah	462-2782
Lehighton	377-4638	Frackville	374-4680
Tamaqua	665-2133	Elizabethville	362-8551

Ehrlich Since 1928

228406

SIC 9223

INVOICE TO Schuylkill County Prison DATE July 13, \$ 2000
230 Sanderson Street

CITY Pottsville, PA ZIP CODE 17901 PHONE (570) 628-1450

ATTN: (IF NECESSARY) _____

JOB LOCATION _____ PHONE (_____) _____ AREA CODE _____

SERVICE TO BE RENDERED FOR CONTROL OF: _____ **ZIP CODE** _____

Ants and Roaches

SPECIAL INSTRUCTIONS AND AREAS TO BE SERVICED

Areas to be treated monthly include the medical cells, holding cells and property room. Cell blocks will be treated three times a year on a rotating basis ([A & B], [C], [D & E], [F]). The boiler room, tunnel system, work release area and additional areas will be treated as needed.

AS NEEDED.
YOU, THE BUYER, MAY CANCEL THIS TRANSACTION AT ANY TIME PRIOR TO MIDNIGHT OF THE THIRD BUSINESS DAY AFTER
THE DATE OF THIS TRANSACTION.

MONTHLY SERVICES @-\$ 110.00 + SALES TAX PER MONTH \$ + SALES TAX (ANNUALLY)

SERVICE FOR _____ DEODORIZER UNITS @ \$ _____ PER MONTH _____ \$ _____
(ANNUALLY)

BEGINNING July 2000 CHARGE FOR INITIAL SERVICES \$

<u>BILLING:</u>	<u>SERVICE FREQUENCY</u>
<input checked="" type="checkbox"/> MONTHLY	<input checked="" type="checkbox"/> ONCE
<input type="checkbox"/> QUARTERLY (IN ADVANCE)	<input type="checkbox"/> TWICE
<input type="checkbox"/> SEMI-ANNUAL (IN ADVANCE) 2% DISCOUNT	<input type="checkbox"/> THREE TIMES
<input type="checkbox"/> ANNUALLY (IN ADVANCE) 5% DISCOUNT	<input type="checkbox"/> OTHER
<input type="checkbox"/> C.O.D.	<input checked="" type="checkbox"/> CHARGE

CHARGE FOR INITIAL SERVICES \$ _____

SUNDRY NO.

TOTAL \$ _____ + **TAX**

Digitized by srujanika@gmail.com

BALANCE \$ _____ TAX _____

IN THE EVENT FULL PAYMENT IS NOT MADE WITHIN 30 DAYS AFTER INVOICING A FINANCE CHARGE WILL BE ADDED TO THE UNPAID BALANCE. IF A FINANCE CHARGE APPEARS ON THE STATEMENT, IT WAS COMPUTED BY A PERIODIC RATE OF 1 1/4% PER MONTH WHICH IS AN ANNUAL PERCENTAGE RATE OF 18% ADDED TO THE PREVIOUS BALANCE AFTER DEDUCTING CURRENT PAYMENTS, AND/OR CREDITS APPEARING ON THE STATEMENT. EXCEPT THAT A MINIMUM LATE CHARGE OF \$1.00 MAY BE IMPOSED.

J. C. EHREICH Co., Inc.

REPRESENTATIVE

ACCEPTANCE OF AGREEMENT

THE ABOVE QUOTATIONS ARE HEREBY ACCEPTED BASED ON THE TERMS AND CONDITIONS AS FOUND ON THE REVERSE SIDE

CUSTOMER

FOR OFFICE USE ONLY	
DISTRICT OFFICE SERVICE TECH. _____ BILLING CLASS _____	DATA PROCESSING ACCOUNT NUMBER _____

SCHUYLKILL COUNTY PRISON

Pottsville, Pennsylvania

RESIDENT CHARLES BROWN
PRISON NO. FP FL SCASE NO: 1657
TIME: 1:15
DATE: 2/20/97

RESULTS OF HEARING:

MA 05:11 X0R99A

BOARD: SUP. BERDANIER, COUNSELOR KRYJAK
CHAIRED: W/R ROY EILERC/O FALESKI:

READ CONDUCT REPORT TO BOARD & RES. BROWN.

EILER:

IS THE REPORT TRUE AS STATED?

FALESKI:

YES.

EILER:

HOW DO YOU (BROWN) PLEAD?

BROWN:

NOT GUILTY.

EILER:

DO YOU HAVE ANYTHING TO SAY?

BROWN:

WE WERE ONLY WRESTLING, WE WEREN'T FIGHTING.

EILER:

DOES THE BOARD HAVE ANY QUESTIONS?

BERDANIER:

YOU SAY "WE WEREN'T WRESTLING", BUT YOU CAME FROM BEHIND.

BROWN:

YEA, BUT WE WEREN'T FIGHTING.

BERDANIER:

HAVE DEVLIN BROUGHT UP AS A WITNESS.

C/O DEVLIN:

I WAS COMING DOWN FROM THE TIER AND BROWN & RATLIFF WERE HORSEPLAYING BUT THAN IT TURNED INTO A FIGHT. I KNOW A FIGHT WHEN I SEE A FIGHT.

FINDING: GUILTY NOT GUILTYDISPOSITION:GUILTY TO #13 - 10 DAYS. #16 - 20 DAYS ON "ASSAULT" SECTION TOTAL 30 DAYS. CREDIT FOR TIME SERVED. 1 HR YARD TIME 5 DAYS A WEEK. REVIEWED EVERY 5 DAYS. AN APPEAL MAYBE MADE IN WRITING TO THE WARDEN WITHIN 30 DAYS.
#12 DISMISSED.

ATTENDED HEARING:

1. Roy J. Eiler
2. Murphy G. Jr.3. Supt. E.H. Berdanier
4. David J. Keat

WARDEN'S SIGNATURE

SCHUYLKILL COUNTY PRISON
Pottsville, Pennsylvania

CASE NO: 1657

CONDUCT COMPLAINT

RESIDENT BROWN, CHARLES

DATE 2-17-97

TIME

APPROX. 11:20 AM

TIME AND DATE
OF HEARING

1030 20 Feb 97

INCIDENT:

ON THE ABOVE DATE + TIME WHILE THIS C/O WAS ON DUTY IN B/CR, I WITNESSED RES BROWN, C (FROM F-23) SHOVE RES RATLIFF, C. (F-25) FROM BEHIND AND PUSH HIM INTO CELL F-16. RES RATLIFF ALMOST FELL AND CAME OUT AND THEY GRABBED EACH OTHER. RES RATLIFF PINNED RES BROWN TO THE FLOOR BUT DID NOT HIT HIM. SO DEVLIN ARRIVED AT THE SCENE AND THEY BROKE IT UP.

CLASS I MISCONDUCT

12 RIOTING OR INCITING TO RIOT

13 CONSPIRACY TO ESCAPE, RIOT OR DISRUPT NORMAL INSTITUTION ROUTINE THAT COULD RESULT in BODILY INJURY TO PERSONNEL OR INMATES

16 ASSAULTS AND FIGHTING

COMPLAINING OFFICER

Go H Faechi

RESIDENT WITNESSES:

1. _____
2. _____
3. _____
4. _____
5. _____
6. _____

STAFF WITNESSES:

1. Go H Faechi
2. _____
3. _____
4. _____
5. _____
6. _____

SCHUYLKILL COUNTY PRISON**Pottsville, Pennsylvania**CASE NO: 1683**CONDUCT COMPLAINT**RESIDENT BROWN, CharlesDATE 6-21-97TIME 2125 hours.TIME AND DATE
OF HEARING1000 hrs. 26 June 97

INCIDENT: On the above date and time after Supervisor Murray dispensed Medications Inmate Brown stated, "Fuck You". This % directly ordered this inmate to Lock-in! Inmate Brown Refused this order and continued to linger about the block and make belligerent comments, causing this % to physically lock inmate Brown's door. At this time inmate Brown stated he doesn't listen to Shit Bag's. Moments later this % & % Rizzardi presented Res. Brown A 16 Day Minor to sign (see Attached). Brown responded with, "Shove it and we CAN do this Right now - Bring all your Blue Shirt Smurf's ON!"

CLASS I Misconducts

12. Rioting or inciting to Riot.
 13. Conspiracy to escape, Riot, or disrupt normal prison routine that could result in bodily injury to personnel or inmates.
 18. Refusing to obey an order.
 31. Insolence or disrespect toward a staff member.
 33. Violation of Administrative directives not specifically enumerated.
- Prison Rule Handbook p. 110 section 2 letters H, and I
34. Repeated Violations of CLASS II Misconducts (#10 - see minor misconduct).

COMPLAINING OFFICERC/M JORGAN**RESIDENT WITNESSES:**

- 1.
- 2.
- 3.
- 4.
- 5.
- 6.

STAFF WITNESSES:

- 1.
- 2.
- 3.
- 4.
- 5.
- 6.

SCHUYLKILL COUNTY PRISON

NOTICE OF MINOR MISCONDUCT

DATE: 6/21/97

TIME: 2120 hrs

RESIDENT: Brown, C.

INCIDENT: On the above date and time the above inmate said, "F*** You" to this % . This % THEN told inmate Brown to Lock-in. He ignored this direct ORDER AND continued to linger in the Block and continued to make beligerent statements to this guard

Class II Misconduct

#10. Any Violation of Rule or Regulation contained in the inmate handbook not specifically enumerated in this sub section.

COMPLAINING OFFICER % Moran

If a resident is reported by an officer for a minor misconduct, he/she may or may not be placed in Administrative Segregation at the time the incident occurred. Segregation is at the discretion of the Complainng Officer, per approval of the Shift Supervisor. A hearing will be scheduled before the Disciplinary Board within 24 hours or sooner and no later than six (6) days from the time of incident. He/she can be awarded a period of time in Administrative Segregation of not more than thirty (30) days to be decided by the Disciplinary Board.

ADMINISTRATIVE SEGREGATION: YES: _____ NO: _____

IF YES STATE REASON: _____

RESIDENT RECEIVED COPY - DATE: 6/21/97 TIME: 2125

RESIDENT SIGN: Inmate stated, "I have it." % man

APPROVED: _____
SHIFT SUPERVISOR

SCHUYLKILL COUNTY PRISON

Pottsville, Pennsylvania

RESIDENT CHARLES BROWN
PRISON NO. _____

CASE NO: 1683
TIME: 10:15
DATE: 6/26/97

RESULTS OF HEARING: BOARD: SUP. BERDANIER, COUNSELOR KRYJAK
CHAIRED: W/R ROY EILER

C/O MORGAN: (MORGAN ABSENT) C/O FALESKI READ CONDUCT REPORT TO BOARD & RES. BROWN.

EILER: IS THE REPORT TRUE AS STATED?

FALESKI: YES, TO THE BEST OF MY KNOWLEDGE & BELIEF.

EILER: HOW DO YOU (BROWN) PLEAD?

BROWN: GUILTY TO #18, 31 & 13. NOT GUILTY TO THE OTHERS.

EILER: DO YOU HAVE ANYTHING TO SAY?

BROWN: NO.

EILER: DOES THE BOARD HAVE ANY QUESTIONS?

KRYJAK: DID YOU SAY "BRING ON YOUR BLUE SHIRT SMURFS"?

BROWN: YES.

FINDING: X GUILTY NOT GUILTY

DISPOSITION: GUILTY TO #13, 18, 31 - 20 DAYS EACH CHARGE - TOTAL 60 DAYS. CREDIT FOR TIME SERVED. 1 HR YARD TIME 5 DAYS A WEEK. REVIEWED EVERY 5 DAYS. AN APPEAL MAYBE MADE IN WRITING TO THE WARDEN WITHIN 30 DAYS.

ATTENDED HEARING:

1. Ray J. Eiler
2. Morgan

3. Supv. E.H. Berdaniel
4.

David J. Keay
WARDEN'S SIGNATURE

SCHUYLKILL COUNTY PRISON

Pottsville, Pennsylvania

CASE NO: 1730CONDUCT COMPLAINTRESIDENT Brown, CharlesDATE 22 Jan 98TIME 6:30PMTIME AND DATE
OF HEARING1/27 /98 @ 10:30AM

INCIDENT: on the above date and time resident Brown,C was told again to pull his pants up from letting his rear end hang out. Inmate Brown,C became belligerent and acted in an aggressive behavior at this C/o (yourey), and c/o wittig. Inmate Brown,C was told to "lock-in", Inmate Brown,C stated, "Fuck ya all, I aint lockin' in, ya all crazy." At this time Supervisor Rizzardi, C/o wittig and myself (c/o yourey) entered C/block to lock resident Brown,C in. Resident Brown,C again had an aggressive attitude toward staff.

The following are class I misconducts:

18. Refusing to obey an order.

(13) Conspiracy to escape, Riot or Disrupt NORMAL institution Routine that could Result in bodily injury to personnel or inmates

(31) Insolence or Disrespect toward A Staff Member

(33) Violation of Administrative Directives NOT specifically Enumerated

COMPLAINING OFFICER C/g2buny

RESIDENT WITNESSES:

1. _____
2. _____
3. _____
4. _____
5. _____
6. _____

STAFF WITNESSES:

1. Ryo
2. Wittig
3. _____
4. _____
5. _____
6. _____

SCHUYLKILL COUNTY PRISON
Pottsville, Pennsylvania

BROWN, CHARLES
RESIDENT Brown, Charles
PRISON NO. _____

CASE NO: 1730
TIME: 6:30PM 10:30
DATE: 22 Jan 98 1/27/98

RESULTS OF HEARING: BOARD: SUP. RUBRIGHT, COUNSELOR KURDINSKY
CHAIRED: W/R/A MATT MORGAN

C/O YOUREY: (YOUREY ABSENT) C/O MENDINSKY READ CONDUCT REPORT TO BOARD & RES. BROWN.

MORGAN: IS THE REPORT TRUE AS STATED?

MENDINSKY: YES.

MORGAN: HOW DO YOU (BROWN) PLEAD?

BROWN: GUILTY.

MORGAN: DO YOU HAVE ANYTHING TO SAY?

BROWN: THE C/O TOLD ME TO PULL UP MY PANTS. THE FIRST TIME I DID. THE SECOND TIME HE TOLD ME TO PULL UP MY PANTS I WAS HEADING FOR THE SHOWER. I TOLD HIM I HAD TO TAKE MY PANTS OFF TO SHOWER, SO I ARGUED WITH HIM. OTHER PEOPLE WEAR THEIR PANTS LOWER THAN ME. I FELT LIKE I WAS BEING HARASSED.

MORGAN: DID YOU DO THIS TO AVOID TAKING P.C. - AS A WAY TO SAVE FACE AND AVOID AN INCIDENT WITH ANDY MCFARLAND OR ANY OTHER OF COREY MCCABE'S BROTHERS OR FRIENDS?

BROWN: NO, I JUST FELT HARASSED.

MORGAN: IF YOU STAY ON 'C' BLOCK OR GO TO 'F' BLOCK WILL THERE BE A PROBLEM?

BROWN: NO, I DON'T THINK SO.

FINDING: GUILTY NOT GUILTY

DISPOSITION: GUILTY TO #13,18,31. 10 DAYS L/U ON EACH CHARGE - TOTAL 30 DAYS WITH CREDIT FOR TIME SERVED. TO REMAIN ON 'C' BLOCK. REVIEWED EVERY 5 DAYS. AN APPEAL MAYBE MADE IN WRITING TO THE WARDEN WITHIN 30 DAYS.

L/U BEGINS - 1/22/98
L/U ENDS - 2/21/98

ATTENDED HEARING:

1. Robert W. Morgan
2. Sup. Kelly H.

3. Sup. Kelly H.
4. _____

David J. Kutz
WARDEN'S SIGNATURE

SCHUYLKILL COUNTY PRISON**Pottsville, Pennsylvania****CASE NO:**177D
177E**CONDUCT COMPLAINT****RESIDENT** Brown C**DATE** 5-22-98**TIME** 8:00 P.M.**TIME AND DATE Admin H/U pending review
OF HEARING** Charges (Pottsville P.D.) - dropped
Rescheduled for 6/24/98 at 5:30pm

INCIDENT: ON THE ABOVE DATE AND TIME THIS c/o WAS DOING 8:00 o'clock CHECK AND SAW THAT RES. MARSHALL,D WAS NOT STANDING IN FRONT OF HIS CELL DOOR. RES. MARSHALL,D WAS IN THE CELL CRYING. THIS c/o HAS ASKED HIM WHAT WAS WRONG AND RES. MARSHALL,D STATED THAT "HE HAD FELL". THIS c/o HAS SEEN THAT HIS FACE WAS SWELLING AND HAD DEEP CUTS ON BOTH SIDES ON HIS CHEEKS. THIS c/o HAD NOTIFYIED SUP. RIZZARIDI AND c/o ANDRUCHICK AND c/o BLOSCHECHAK. AFTER TALKING WITH RES. MARSHALL,D HE HAD TOLD US THAT IT WAS RES. Brown,C WHO HAD ASSAULTED HIM, HE DID NOT FALL. RES. MARSHALL,D STATED "RES Brown,C DID NOT HIT ME WITH HIS FISTS, BUT HE USED A WEAPON" AFTER FURTHER INVESTIGATION, THE WEAPON USED IN THE ASSAULT WAS THE ROUND PIECE OF METAL THAT OPENS AND CLOSES THE WINDOW IN RES. Brown,C CELL.

COMPLAINING OFFICERc/o WITTIG**STAFF WITNESSES:**

1. _____
2. _____
3. _____
4. _____
5. _____
6. _____

1. c/o Andrichick
2. c/o Borschichak
3. c/o Young
4. c/o Brooks
5. _____
6. _____

SCHUYLKILL COUNTY PRISON

Pottsville, Pennsylvania

CASE NO: 177D

CONDUCT COMPLAINT

RESIDENT BROWN C DATE 5-22-98
 TIME 8:00 P.M. TIME AND DATE
OF HEARING

INCIDENT:

THE FOLLOWING ARE CLASS I MISCONDUCTS:

- ✓ #3 Possession of or introduction of contraband or implements of escape
- ✓ #4 carrying a deadly weapon
- ✓ #9 tampering with, destroying or damaging property
- ✓ #12 Rioting or inciting to riot
- ✓ #13 Conspiracy to escape, riot, or disrupt normal institution routine that could result in bodily injury to personnel or inmates
- ✓ #16 assaults and fighting
- ✓ #22 breaking restriction or quarantine
- ✓ #29 Presence in an unauthorized area - another person's cell on the wrong tier, etc.

COMPLAINING OFFICER

STAFF WITNESSES:

RESIDENT WITNESSES:

1. _____
2. _____
3. _____
4. _____
5. _____
6. _____

1. _____
2. _____
3. _____
4. _____
5. _____
6. _____

- ✓ #33 Violation of administrative directives not specifically enunciated

SCHUYLKILL COUNTY PRISON

Pottsville, Pennsylvania

RESIDENT CHARLES BROWN
PRISON NO.

CASE NO: 1770
TIME: 5:30
DATE: 6/24/98

RESULTS OF HEARING: BOARD: SUP. FLANNERY, C/O SETLOCK
CHAIRED: W/R/A MATT MORGAN

C/O WITTIG:

(WITTIG ABSENT) C/O TAYLOR READ CONDUCT REPORT TO BOARD &
RES. BROWN.

MORGAN:

IS THE REPORT TRUE AS STATED?

TAYLOR:

YES.

MORGAN:

HOW DO YOU (BROWN) PLEAD?

BROWN:

GUILTY TO #16, 29, 13.

MORGAN:

DO YOU HAVE ANYTHING TO SAY?

BROWN:

I BEAT MARSHALL WITH MY HANDS. HERE IS A COPY OF THE POLICE
REPORT FROM POTTSVILLE PD.

(REPORT SUBMITTED AS EVIDENCE AND READ BY C/O TAYLOR.)

MORGAN:

DID YOU HIT HIM WITH SOMETHING OTHER THAN YOUR FISTS?

BROWN:

NO. JUST MY FISTS.

FINDING: X GUILTY NOT GUILTY

DISPOSITION: GUILTY TO #9,13,16,29,33 & 34. GIVEN 90 DAYS L/U IN "E" BLOCK.
CREDIT FOR TIME SERVED SINCE 5/22/98. 1 HR YARD TIME 5 DAYS A WEEK.
REVIEWED EVERY 5 DAYS. AN APPEAL MAYBE MADE IN WRITING TO THE WARDEN
WITHIN 30 DAYS.

ATTENDED HEARING:

1. Mattie W. Morgan
2. M. P. Flannery

3. Todd Scott
4. _____

David J. Kutz
WARDEN'S SIGNATURE

SCHUYLKILL COUNTY PRISON

Pottsville, Pennsylvania

F-17

CONDUCT COMPLAINTRESIDENT CHARLES BROWN DATE SEPT 26TH 1998TIME 10:00 AM TIME AND DATE
OF HEARING OCT 1, 1998 @ 5:45pm

INCIDENT:

ON THE ABOVE DATE AND TIME THIS % WAS STATIONED IN F BLOCK, WHILE I WAS IN THE BLOCK A PHYSICAL CONFRONTATION ENSUED BETWEEN RES BROWN, C. AND COLNA. P., WHAT STARTED AS HORSEPLAY IMMEDIATELY BECAME SERIOUS WHEN THEY FELL TO THE FLOOR. THE STAFF AND I THEN SEPARATED THE 2 RESIDENTS AND THEY HAD TO BE LOCKED IN THEIR SPECTIVE CELLS BECAUSE IT CONTINUED VERBALLY.

1 MISCONDUCTS;

13 CONSPIRACY TO ESCAPE, RIOT OR DISRUPT NORMAL INSTITUTION ROUTINE THAT COULD RESULT IN BODILY INJURY TO PERSONNEL OR INMATES.

16 ASSAULTS AND FIGHTING.

18 REFUSING TO OBEY AN ORDER.

COMPLAINING OFFICER 907 Falchi

RESIDENT WITNESSES:

1. _____
2. _____
3. _____
4. _____
5. _____
6. _____

STAFF WITNESSES:

1. % MacD
2. GOT Pura
3. _____
4. _____
5. _____
6. _____

SCHUYLKILL COUNTY PRISON
Pottsville, Pennsylvania

RESIDENT CHARLES BROWN
PRISON NO. _____

CASE NO: 1812
TIME: 5:45
DATE: 10/1/98

RESULTS OF HEARING: BOARD: SUP. RUBRIGHT, C/O TAYLOR
CHAIRED: W/R/A MATT MORGAN

C/O FALESKI: (FALESKI ABSENT) C/O BLOSCHICHAK READ CONDUCT REPORT TO BOARD
& RES. BROWN.

MORGAN: IS THE REPORT TRUE AS STATED?

BLOSCHICHAK: YES.

MORGAN: HOW DO YOU (BROWN) PLEAD?

BROWN: UNSURE ON HOW TO PLEAD.

MORGAN: DO YOU HAVE ANYTHING TO SAY?

BROWN: IT WAS ALL FOOLING AROUND UNTIL I GAVE COLNA A HIP TOSS AND
HE HIT HIS HEAD.

RES. WHALEN CALLED

WHALEN: EVERYONE THOUGHT THAT THEY WERE FOOLING AROUND UNTIL COLNA
FLEW THROUGH THE AIR.

NO FURTHER QUESTIONS.

FINDING: GUILTY NOT GUILTY

DISPOSITION: GUILTY OF #13, 16 & 18. GIVEN 40 DAYS L/U. CREDIT FOR TIME SERVED.
REMAIN IN "F" BLOCK UNTIL A CELL BECOMES AVAILABLE IN "E" BLOCK.
1 HR YARD TIME 5 DAYS A WEEK. REVIEWED EVERY 5 DAYS. AN APPEAL MAYBE
MADE TO THE WARDEN WITHIN 30 DAYS.

ATTENDED HEARING:

1. Matt W. Morgan
2. Tyra Light
3. C/o Taylor
4. _____

Dave J. Knut
WARDEN'S SIGNATURE

SCHUYLKILL COUNTY PRISON

Pottsville, Pennsylvania

CASE NO: 1819CONDUCT COMPLAINTRESIDENT Frank Res. Brown C. DATE 18 OCT 98TIME 0850 hrs TIME AND DATE
OF HEARING 10/23/98 @ 5:50pm

INCIDENT: AS THIS GO WAS INVOLVED IN AN INCIDENT WITH RES. CAMPBELL, RES. BROWN LEFT HIS CELL AND APPROACHED THE IMMEDIATE AREA OF ABOVE-MENTIONED INCIDENT IN A THREATENING MANNER. RES. BROWN WAS ALREADY RESTRICTED TO HIS CELL ON A PREVIOUS MAJOR MISCONDUCT. (SEE INCIDENT REPORT)

Res. Brown is charged with the following major misconducts:

- * #12 RIOTING OR INCITING TO RIOT
- ✓ #13 CONSPIRACY TO ESCAPE, RIOT OR DISRUPT NORMAL INSTITUTION POLICIES - COULD RESULT IN BODILY INJURY TO PERSONNEL OR INMATES
- * #15. THREATENING AN EMPLOYEE OR INMATE WITH BODILY HARM OR KILLING
- ✓ #18. REFUSING TO OBEY AN ORDER
- ✓ #22 BREAKING RESTRICTION OR QUARANTINE
- ✓ #24. PRESENCE IN AN UNAUTHORIZED AREA
- #31. INSOLENCE OR DISRESPECT TOWARD A STAFF MEMBER
- ✓ #37 VIOLATION OF ADMINISTRATIVE DIRECTIVES NOT SPECIFICALLY ENCLASSED

COMPLAINING OFFICER cc Michael Fa

RESIDENT WITNESSES:

1. _____
2. _____
3. _____
4. _____
5. _____
6. _____

STAFF WITNESSES:

1. c/o Blaschichak
2. % Sandlin
3. _____
4. _____
5. _____
6. _____

SCHUYLKILL COUNTY PRISON
ACCIDENT/INCIDENT REPORT

(Use for fire, theft, damage, injuries, suicide attempts, reportable injuries, etc.)

Date 18 OCT 98

Person reporting

to Michael Ford

Time 0850 hrs.

Shift Supervisor

Preston Supt. R/H

Name of individual report is about Res. Brown, C.

Witness % Sandler

Witness c/o Blaschinski

INCIDENT: AS THIS % WAS INVOLVED IN AN INCIDENT WITH Res. Campbell, Res. Brown LEFT HIS CELL AND APPROACHED THE IMMEDIATE AREA OF ABOVE MENTIONED INCIDENT IN A THREATENING MANNER. Res. Brown was ALREADY RESTRICTED TO HIS CELL ON A prior MISCONDUCT. Res. Brown SHOUTED THREATS AND INSULTS DURING THIS INCIDENT. Res. Brown was TOLD TO RETURN TO HIS CELL SEVERAL TIMES DURING THIS INCIDENT.

Action taken/Disposition

Date 10-19-98

Dep. Warden Baldomier

Schuylkill County Prison
230 Sanderson Street
Pottsville PA 17901-1758

Accident/Incident Report 9/95

Individual report is about Res. Brown, C.

SCHUYLKILL COUNTY PRISON

Pottsville, Pennsylvania

RESIDENT CHARLES BROWN
PRISON NO.

CASE NO: 1819
TIME: 5:50PM
DATE: 10/23/98

RESULTS OF HEARING: BOARD: SUP. RIZZARDI, C/O CARUSO
CHAIRED: W/R/A MATT MORGAN

C/O FORD: (FORD ABSENT) C/O SETLOCK READ CONDUCT REPORT TO BOARD & RES.
BROWN.

MORGAN: IS THE REPORT TRUE AS STATED?

SETLOCK: YES.

MORGAN: HOW DO YOU - (BROWN) PLEAD?

BROWN: GUILTY TO # 18.

MORGAN: DO YOU HAVE ANYTHING TO SAY?

BROWN: I JUST CAME OUT OF MY CELL TO GET MEDICATIONS. C/O BLOSCHICHAK
TOLD ME TO GO BACK TO MY CELL, SO I DID.

MORGAN: DOES THE BOARD HAVE ANY QUESTIONS?

RIZZARDI: WHAT WERE YOU OUT OF YOUR CELL FOR?

BROWN: TYLENOL. I WASN'T SAYING ANYTHING.

FINDING: GUILTY NOT GUILTY

DISPOSITION: GUILTY OF #13, 18 & 33. GIVEN 45 DAYS IN "E" BLOCK. NO CREDIT FOR
TIME SERVED. (SERVING A MAJOR MISCONDUCT AT TIME OF INCIDENT)
1 HR YARD TIME 5 DAYS A WEEK. REVIEWED EVERY 5 DAYS. AN APPEAL MAYBE
MADE IN WRITING TO THE WARDEN WITHIN 30 DAYS.

ATTENDED HEARING:

1. Matthew W. Wagner
2. Scott P. P.

3. C/o John Lewis
4. _____

David J. Korty
WARDEN'S SIGNATURE

SCHUYLKILL COUNTY PRISON

Pottsville, Pennsylvania

CASE NO: 1849CONDUCT COMPLAINTRESIDENT Brown, C DATE 1-4-99TIME 9:10 A.M. TIME AND DATE
OF HEARING 1/7/99 @ 6pm

INCIDENT: ON ABOVE DATE & TIME This Supv Noticed that Above inmate Brown, Ch. HAD Res. Scott, C sneakers on from C-BLK. Res. Brown Admitted to this Supv. that the Sneakers are from C-BLK but would not tell me how it was done. Brown is in F-BLK

Class I

13 Conspiracy to escape, Riot, or disrupt normal institutional routine that could result in bodily injury to personnel or inmates

33 Violation of administrative directives not specifically enum

3. Lending property for profit

COMPLAINING OFFICER Roger

RESIDENT WITNESSES:

1. _____
2. _____
3. _____
4. _____
5. _____
6. _____

STAFF WITNESSES:

1. _____
2. _____
3. _____
4. _____
5. _____
6. _____

SCHUYLKILL COUNTY PRISON

Pottsville, Pennsylvania

RESIDENT BROWN, CHARLES
PRISON NO.CASE NO: 1849
TIME: 6:15pm
DATE: 01/07/99RESULTS OF HEARING: BOARD: C/O TAYLOR & C/O WITTIG
CHAIRMAN: W/R/A MORGANSUP. RIZZARDI: READS THE CONDUCT REPORT TO THE BOARD AND RES. BROWN, C.MORGAN: IS THE REPORT TRUE AS STATED?RIZZARDI: YES.MORGAN: HOW DO YOU (BROWN) PLEAD?RES. BROWN: GUILTY TO #13, & #30.MORGAN: DO YOU (BROWN) HAVE ANYTHING TO SAY IN YOUR BEHALF?RES. BROWN: NO.MORGAN: HOW WERE THE SNEAKERS PASSED BETWEEN BLOCKS?RES. BROWN: C/O ZELONIS PASSED THE SNEAKERS.MORGAN: WHY DID C/O ZELONIS PASS THE SNEAKERS FROM RES. SCOTT WHO IS IN ONE B TO YOU, INT ANOTHER BLOCK.BROWN: RES. SCOTT ASKED HIM TO. I NEEDED A GOOD PAIR OF SNEAKERS FOR COURT. MINE WERE THE "RUN DMC MODEL".MORGAN: DOES THE BOARD HAVE ANY FURTHER QUESTIONS?BOARD: NO.FINDING: X GUILTY NOT GUILTYDISPOSITION: GUILTY OF #13, & #30. GIVEN 20 DAYS LOCK-UP, TO BE SERVED ON PRESENT CREDIT FOR TIME SERVED. RESIDENT WARNED THAT IF HIS BEHAVIOR CONTINUES LONGER HE (BROWN) WILL BE PLACED INTO ADMINISTRATIVE LOCK-UP AND REMAIN IN SUCH STATUS UNTIL HE LEAVES THIS INSTITUTION. REVIEW EVERY FIVE DAYS ONE HOUR YARD TIME, FIVE TIMES PER WEEK. AN APPEAL MAYBE MADE IN WRITING.ATTENDED HEARING: TO THE WARDEN WITHIN THE NEXT 30 DAYS.1. Matthew W. Morgan2. C/o Taylor3. Keith Wittig

4.

Daniel J. Keagy
WARDEN'S SIGNATURE

SCHUYLKILL COUNTY PRISON

Pottsville, Pennsylvania

CASE NO: 1859CONDUCT COMPLAINTRESIDENT Brown, CharlesDATE 2/2/99TIME 1050 AMTIME AND DATE
OF HEARING 2-5-99 12:30 P.M.

INCIDENT: On above date & time Res. Brown, C Commissary was given to him by % Setlock. Res. Brown, C went to his cell and emptied his bag, a couple minutes later Res. Brown, C told this % his coffee was missing. This % asked Brown if his bag was opened Brown stated yes. This % said I can't help him. Brown kicked F-BIK door and said he wants to see the Supt. This % with % Devlin went INTO F-BIK. Brown had his fist clinched and said he wasn't going to his cell. % Setlock & % Devlin had to escort Brown to his cell.

Class 1 Misconduct

12. Rioting or inciting to riot
13. Conspiracy to escape, riot, or disrupt normal institutional routine that could result in bodily injury to personnel or inmates
14. Refusing to obey an order
31. Insolence or disrespect toward a staff member
33. Violation of administrative directives not specifically enumerated

COMPLAINING OFFICER % Setlock

RESIDENT WITNESSES:

STAFF WITNESSES:

1. _____
2. _____
3. _____
4. _____
5. _____
6. _____

SCHUYLKILL COUNTY PRISON**Pottsville, Pennsylvania**

RESIDENT CHARLES BROWN
PRISON NO.

CASE NO: 1859TIME: 12:30DATE: 2/5/99

RESULTS OF HEARING: BOARD: SUP. WAPINSKY, COUNSELOR KURDINSKY
CHAIRMAN: ACTING, COUNSELOR KRYJAK

C/O SETLOCK: (SETLOCK ABSENT) C/O DEVLIN READ CONDUCT REPORT TO BOARD & RES. BROWN.

KRYJAK: IS THE REPORT TRUE AS STATED?

DEVLIN: YES.

KRYJAK: HOW DO YOU PLEAD?

BROWN: GUILTY TO #13 & 33.

KRYJAK: DO YOU HAVE ANYTHING TO SAY?

BROWN: NO.

KRYJAK: DOES THE BOARD HAVE ANY QUESTIONS.

BOARD: NO.

FINDING: X GUILTY NOT GUILTY

DISPOSITION: THE BOARD RECOMMENDED ADMINISTRATIVE LOCKUP PER DECISION RENDERED IN CASE #1849 DATE 1/7/99. RESIDENT WAS WARNED AT THAT TIME BY CHAIR MORGAN OF THIS BEING THE NEXT DECISION.

ATTENDED HEARING:

1. John Dillier
2. Joseph Tandy

3. m
4. D
Paul J Knob
INFORMATION SIGNATURE

SCHUYLKILL COUNTY PRISON

Pottsville, Pennsylvania

CASE NO: 1899

CONDUCT COMPLAINTRESIDENT Charlie Brown DATE 6-6-99TIME 3:05 TIME AND DATE OF HEARING 6/9/99 @ 10:15 am

INCIDENT: On above date & time this %
 SAW Res. J. Michels and Res. C. Brown
 fighting.

Class 1 mis.

- 12. Rioting or inciting to Riot
- 13. Conspiracy to escape, Riot or disrupt normal institution routine that could result in bodily injury to personnel or inmates,
- 15. Threatening an employee or inmate with bodily harm or injury.
- 16. Assaults and fighting.
- 22. Breaking restriction or quarantine

Class 2 mis.

- 1. Body punching, horseplay.
- 10. Any violation of rule or regulation contained in the inmate handbook not specifically enumerated in this subsection.

COMPLAINING OFFICER % Zelenis

RESIDENT WITNESSES:

- 1. _____
- 2. _____
- 3. _____
- 4. _____
- 5. _____
- 6. _____

STAFF WITNESSES:

- 1. C/o Karr
- 2. _____
- 3. _____
- 4. _____
- 5. _____
- 6. _____

SCHUYLKILL COUNTY PRISON

Pottsville, Pennsylvania

RESIDENT
PRISON NO.

CHARLES BROWN

CASE NO: 1899
TIME: 5:4-
DATE: 6/9/99

RESULTS OF HEARING: BOARD: SUP. KANKOWSKI, C/O TAYLOR
CHAIRED: ACTING, COUNSELOR KRYJAK
ATTENDED BY

THE BOARD REVIEWED THE MAJOR MISCONDUCT WITHOUT THE RESIDENT PRESENT.

FINDING: GUILTY NOT GUILTY

DISPOSITION: IN VIEW OF RESIDENT BROWN BEING ALREADY IN ADMIN SEGREGATION, IT IS THE BOARD'S RECOMMENDATION THAT RESIDENT BROWN CONTINUE IN ADMIN SEGREGATION.

ATTENDED HEARING:

1. Mr. [Signature]

3. C/o Taylor

2. Supt Acting Mankowski

4.

E H Bawden

JUNIATA COUNTY PRISONPottsville, PennsylvaniaCASE NO: 1914CONDUCT COMPLAINTRESIDENT Brown, C (E-8) DATE 7-2-99TIME APPROX. 3:45 PM TIME AND DATE
OF HEARING 7/7/99 @ 5:30pm

INCIDENT: On Above date & Approx. time Res. Brown came back from counselor's office and picked up the moper wringer. Res. then said to this c/o to stay away from the windows unless I wanted glass all over me. I told Res. Brown to stop & Res. Said to call the Dep. Warden & tell him to get down to E-blk now. This c/o then notified Sup. Kankowski & c/o Wittig of the situation. Res. Brown then started to smash the mop wringer off of the walls, tables, & smashed the heating thermostat cover & thermostat off the wall. Res. Also said that if anyone (Sup. Kankowski, couns. Krajack, Kudinsky, Co's Wittig, Zelorris, Kruss, & myself) crossed over the Sally port & into E-blk dayroom, they would get hit with the wringer. Dep. Warden Berdansier came into E-blk along with all mentioned staff. Res. Brown continued to hit the wringer off the wall & shouted before returning to his cell.

CLASS 1 misconducts:

- #4 Carrying a deadly weapon
- #9 Tampering with, destroying or damaging property
- #12 Rioting or inciting to riot
- #13 Conspiracy to escape, riot, or disrupt normal institutional routine
that could result in bodily injury to personnel or inmates.
- #15 Threatening an employee or inmate with bodily harm or injury (8 counts)
- #18 Refusing to obey an order
- #22 Breaking restriction or quarantine
- #29 Presence in an unauthorized area - E-blk dayroom while in lock-up
- #31 Insolence or disrespect toward a staff member (8 counts)

COMPLAINING OFFICER Blednickak

RESIDENT WITNESSES:

STAFF WITNESSES:

1. Wittig
2. _____
3. _____
4. _____
5. _____
6. _____

3 Violations of Administrative directives not specifically enumerated

Inmate handbook pages

PAGE 18 #5 General locations LETTERS A & B

PAGE 17 LETTER E institutional property

PAGE 16 LETTER H following orders

PAGE 6 Communication & Grievance Procedure
LETTERS C, D & G

34 Repeated violations of Class 2 misconducts.

SCHUYLKILL COUNTY PRISON
Pottsville, Pennsylvania

RESIDENT CHARLES BROWN
PRISON NO. _____

CASE NO: 1916
TIME: 5:30
DATE: 7/7/99

RESULTS OF HEARING:

BOARD: SUP. KANKOWSKI, C/O MCGOWEN
CHAIR: W/R/A MORGAN

C/O BLOSCHEICKAK: (BLOSCHEICKAK ABSENT) C/O WITTIG READ CONDUCT REPORT TO BOARD & RES. BROWN.

MORGAN: IS THE REPORT TRUE AS STATED?

MCGOWEN: YES.

MORGAN: HOW DO YOU (BROWN) PLEA?

BROWN: GUILTY.

MORGAN: DO YOU HAVE ANYTHING TO SAY?

BROWN: I HAVE MENTAL HEALTH ISSUES THAT NEED TO BE ADDRESSED BY PROFESSIONALS.

MORGAN: DOES THE BOARD HAVE ANY QUESTIONS.

BOARD: NO.

FINDING: GUILTY NOT GUILTY

DISPOSITION: GUILTY ON ALL CHARGES. GIVEN 180 DAYS L/U IN "E" BLOCK.

TIME BEGINNING 7/7/99 AT 6PM. REVIEWED EVERY 5 DAYS. 1 HR YARD TIME 5 DAYS A WEEK. AN APPEAL MAYBE MADE TO THE ACTING WARDEN WITHIN 30 DAYS.

(IN WRITING)

ATTENDED HEARING:

1. Anthony J. Morgan
2. Anthony J. Morgan

J. McS.
3. _____
4. _____

ACTING WARDEN'S SIGNATURE

E. A. Beidner

SCHUYLKILL COUNTY PRISON

Pottsville, Pennsylvania

CASE NO: 1949CONDUCT COMPLAINTRESIDENT Brown, CDATE 8-22-99TIME 9:15 p.m.TIME AND DATE
OF HEARING 8/24/99 @ 6pm

INCIDENT: On above date & Time when this C/O was attempting to move Res, OHL, J which is Res Brown, & cell mate, Res Brown was blocking the door way & said he (meaning Res, OHL, J isn't going anywhere. I closed the cell door & told Supv Kank. I asked Res, OHL, J to move again, Res Brown replied if the door again he was stabbing C/C's with pens at this point Supv Kank. & C/O's witness, Gheres, came into assist in controlling the situation. Res. Brown, C said he will take us all on & threw the pens down, grab a mattress from his cell & threw it to the floor from the top tier

Class I misconducts

#4 Carrying a deadly weapon

#12 Rioting or inciting to riot

#13 disrupt normal institution routine

COMPLAINING OFFICER C/O Knorr

RESIDENT WITNESSES:

1. _____
2. _____
3. _____
4. _____
5. _____
6. _____

STAFF WITNESSES:

1. _____
2. _____
3. _____
4. _____
5. _____
6. _____

Next Page

SCHUYLKILL COUNTY PRISON

Pottsville, Pennsylvania

RESIDENT CHARLES BROWN
PRISON NO. _____

CASE NO: 1949

TIME: 6 PM

DATE: 8/24/99

RESULTS OF HEARING: BOARD: SUP FLANNERY, C/O KALINICH
CHAIR: SUP. KANKOWSKI

C/O KRUSS: (KRUSS ABSENT) C/O KALINICH READ CONDUCT REPORT TO BOARD & RES.
BROWN.

KANKOWSKI: IS THE REPORT TRUE AS STATED?

KALINICH: YES.

RES BROWN NOT PRESENT.

RES. BROWN UNDER ADMIN. L/U ALREADY.

FINDING: X GUILTY NOT GUILTY

DISPOSITION: CONTINUE UNDER ADMIN. L/U. YARD TIME RETURNED 5 DAYS A WEEK, 1 HR.

ATTENDED HEARING:

1. _____

3. _____

2. _____

4. _____

Deputy

E. H. Redmon
WARDEN'S SIGNATURE

SCHUYLKILL COUNTY PRISON**Pottsville, Pennsylvania****CASE NO:**1954**CONDUCT COMPLAINT****RESIDENT**Brown C**DATE**8/27/99**TIME**10:10 AM**TIME AND DATE****OF HEARING**9/3/99 @ 10:15 AM**INCIDENT:**

On above Date & Time This % McGraw attempted to do a cell Change Res. Brown refused to let Res. McCabe move in his cell. Res. stated "I don't want nobody in my cell move me to medical." Res. was informed that he would be placed on a major misconduct if he refused so. Reason for cell change was because of over crowding, numerous Comm. and had to make room for Prison Routine to run correctly.

#13 Conspiracy to escape, riot or disrupt normal institution so that could result in bodily injury to personnel or inmates

#18 Refusing to obey an order

#33 Violation of administrative directives not specifically, numerous

#34 Repeated Violations of class 2 misconducts

COMPLAINING OFFICER% M Graw**RESIDENT WITNESSES:**

1. _____
2. _____
3. _____
4. _____
5. _____
6. _____

STAFF WITNESSES:

1. _____
2. _____
3. _____
4. _____
5. _____
6. _____

SCHUYLKILL COUNTY PRISON**Pottsville, Pennsylvania**

RESIDENT CHARLES BROWN
PRISON NO. _____

CASE NO: 1954
TIME: 8:10 AM
DATE: 9/7/99

RESULTS OF HEARING:

BOARD: C/O'S CASESTIA & GERA
CHAIRED: W/R/A MORGAN

C/O MCGOWEN: (MCGOWEN ABSENT) SUP. RIZZARDI READ CONDUCT REPORT TO BOARD &
 RES. BROWN.

MORGAN: IS THE REPORT TRUE AS STATED?

RIZZARDI: YES.

MORGAN: HOW DO YOU (BROWN) PLEA?

BROWN: NOT PRESENT.

FINDING: X GUILTY NOT GUILTY

DISPOSITION: ADMINISTRATIVE LOCKUP

ATTENDED HEARING:

1. Mark W. Aff
2. Jay Cuesta

3. Michael Gera
4. _____

Deputy

E. H. Bednarz
 WARDEN'S SIGNATURE

SCHUYLKILL COUNTY PRISON**Pottsville, Pennsylvania****CASE NO. 2107****CONDUCT COMPLAINT****RESIDENT BROWN Thales DATE 5/6/00****TIME 2:15PM TIME AND DATE
OF HEARING 5.11.00 @ 0945**

INCIDENT: Res Brown, C was in a confrontation with Res Whalen, Toes. Both residents were throwing punches.

Residents were locked up after fight.

Violations

- # 16 Assaults & Fighting
- # 13 Conspiracy to escape, riot or disrupt normal institution routine that could result in bodily injury to personnel or inmates

COMPLAINING OFFICERGo Bevan**RESIDENT WITNESSES:**

1. _____
2. _____
3. _____
4. _____
5. _____
6. _____

STAFF WITNESSES:

1. _____
2. _____
3. _____
4. _____
5. _____
6. _____

SCHUYLKILL COUNTY PRISON

RESIDENT CHARLES BROWN
PRISON NO.

CASE NO: 2107
TIME: 9:45
DATE: 5/11/00

RESULTS OF HEARING:

BOARD: C/O'S FALESKI, MENDINSKY
CHAIRED: COUNSELOR KRYJAK

C/O BEVAN: READ CONDUCT REPORT TO BOARD & RES. BROWN

KRYJAK: IS THE REPORT TRUE AS STATED?

BEVAN: YES.

KRYJAK: HOW DO YOU PLEA?

BROWN: NOT GUILTY TO #16. GUILTY TO #13.

KRYJAK: DO YOU HAVE ANYTHING TO SAY?

BROWN: NOTHING. SLAPS WERE THROWN NOT REALLY PUNCHES. WE WERE JUST PLAYING AROUND.

KRYJAK: DOES THE BOARD HAVE ANY QUESTIONS?

MENDLINSKY: THERE WERE NO PUNCHES THROWN DURING THE WHOLE THING?

BROWN: JUST SLAPS. I THINK THIS WAS HORSEPLAY. THATS WHAT IT STARTED AS.

FINDING: GUILTY NOT GUILTY

DISPOSITION: GUILTY TO #16, 13. 15 DAYS ON EACH. TOTAL 30 DAYS. CREDIT FOR TIME SERVED. 1 HR YARD TIME 5 DAYS A WEEK. REVIEWED EVERY 5 DAYS. AN APPEAL MAYBE MADE IN WRITING TO THE WARDEN WITHIN 30 DAYS.

ATTENDED HEARING:

2. *E. T. F. L. M.*



WARDEN'S SIGNATURE

SCHUYLKILL COUNTY PRISON**Pottsville, Pennsylvania****CASE NO: 2149****CONDUCT COMPLAINT**RESIDENT BROWN, CHARLES DATE 08 JUN 00TIME 1140 HRS TIME AND DATE
OF HEARING 6-13-00 @ 0950

INCIDENT: ON THE ABOVE DATE AND TIME, THIS C/I WAS LOCKING DOWN F-BLOCK AFTER LUNCH. RES. BROWN, C APPROACHED THIS C/I AND STATED THAT HE WANTED BREAD INSTEAD OF HIS TRAY, BECAUSE HE HAD TWO TEETH REMOVED. UPON CHECKING WITH THE NURSE AND KITCHEN, NO SPECIAL ACCOMMODATIONS WERE TO BE MADE. UPON TELLING RES BROWN THIS, HE STATED "I AINT LOCKIN IN". AT THIS POINT THIS C/I RADIOED LT. FLANNERY TO COME TO F-BLOCK. LT. FLANNERY AND C/I HERRING ENTERED THE BLOCK AND RES. BROWN BECAME VERY HOSTILE AND ANGERED. RES. BROWN THEN TOOK OFF HIS SHIRT AND SAID "LETS GET IT ON". LT. FLANNERY, C/I HERRING AND THIS C/I THEN LEFT F-BLOCK AND ALERTED ALL C/I'S TO F-BLOCK TO ASSIST IN LOCKING BROWN IN. UPON ENTERING THE BLOCK ALONG WITH C/I'S HERRING, SCHWARTZ, FALESKI, SETLOCK, MENDINSKY, DEULIN AND LT. FLANNERY, BROWN BECAME EXTREMELY

COMPLAINING OFFICER

(CONT NEXT PAGE)

RESIDENT WITNESSES:

1. _____
2. _____
3. _____
4. _____
5. _____
6. _____

STAFF WITNESSES:

1. WITNESS SIGNATURES ON LAST PAGE
2. _____
3. _____
4. _____
5. _____
6. _____

(2)

SCHUYLKILL COUNTY PRISON

Pottsville, Pennsylvania

CASE NO: _____

CONDUCT COMPLAINT

RESIDENT _____ DATE _____

TIME _____ TIME AND DATE
OF HEARING _____

INCIDENT: AGITATED WHILE HOLDING A MOP RINGER THREATENING TO USE IT. HE THEN BECAME VIOLENT TAKING AN AGGRESSIVE STANCE AND STRIKING LT. FLANNERY NUMEROUS TIMES IN THE HEAD AND FACE. HE ALSO BECAME PHYSICALLY ASSAULTIVE TO ALL C/O'S PRESENT BY KICKING AND PUNCHING. C/O'S HERRING MENODINSKY AND DEULIN WERE INJURED IN THE ALTERCATION. AT THIS TIME, BROWN BEGAN REPEATEDLY STRIKING LT. FLANNERY IN THE FACE AND HEAD. IN RESPONSE TO THIS, THIS C/O APPLIED A STREAM OF OLEORESIN CAPSICUM (O.C.) INTO THE FACE, EYES AND MOUTH OF BROWN. THIS BROUGHT BROWN UNDER CONTROL ENOUGH TO CEASE HIS VIOLENT ACTIONS AND GAIN CONTROL OF THE SITUATION. BROWN WAS THEN MOVED TO MEDICAL 2. THIS C/O ALONG WITH ALL

(CONT. NEXT PAGE)

COMPLAINING OFFICER _____

RESIDENT WITNESSES:

1. _____
2. _____
3. _____
4. _____
5. _____
6. _____

STAFF WITNESSES:

1. _____
2. _____
3. _____
4. _____
5. _____
6. _____

SCHUYLKILL COUNTY PRISON
Pottsville, Pennsylvania

CASE NO: _____

CONDUCT COMPLAINT

RESIDENT _____

DATE _____

TIME _____

TIME AND DATE
OF HEARING _____

INCIDENT: OTHER C/O'S USED ONLY THE MINIMAL AMOUNT OF FORCE TO GET THE SITUATION UNDER CONTROL AND AT NO TIME DID FORCE BECOME EXCESSIVE.

I CHARGE BROWN WITH THE FOLLOWING CLASS I MISCONDUCTS:

#4. CARRYING A DEADLY WEAPON

#2. TAMPERING WITH, DESTROYING OR DAMAGING PROPERTY

#13. CONSPIRACY TO ESCAPE, RIOT OR DISRUPT NORMAL INSTITUTION ROUTINE THAT COULD RESULT IN BODILY INJURY TO PERSONNEL OR INMATES.

#15. THREATENING AN EMPLOYEE OR INMATE WITH BODILY HARM OR INJURY

#16. ASSAULTS AND FIGHTING

#22. BREAKING RESTRICTION OR QUARANTINE.

#31. INSOLENCE OR DISRESPECT TOWARDS AN OFFICER.

COMPLAINING OFFICER _____

(CONT. NEXT PAGE)

RESIDENT WITNESSES:

STAFF WITNESSES:

1. _____
2. _____
3. _____
4. _____
5. _____
6. _____

1. _____
2. _____
3. _____
4. _____
5. _____
6. _____

SCHUYLKILL COUNTY PRISON

Pottsville, Pennsylvania

CASE NO: _____

CONDUCT COMPLAINT

RESIDENT _____

DATE _____

TIME _____

TIME AND DATE
OF HEARING _____

INCIDENT:

33. VIOLATION OF ADMINISTRATIVE DIRECTIVES
NOT SPECIFICALLY ENUMERATED.# 34. REPEATED VIOLATIONS OF CLASS 2 MISCONDUCTS;
REPEATED VIOLATIONS OF CLASS 1 MISCONDUCTS.

COMPLAINING OFFICER

c/o Powers

RESIDENT WITNESSES:

1. _____
2. _____
3. _____
4. _____
5. _____
6. _____

STAFF WITNESSES:

1. Go-Frai-Ski
2. Go-Maydinsky
3. Go-____
4. Go-Tschwartz
5. _____
6. _____

SCHUYLKILL COUNTY PRISON

Pottsville, Pennsylvania

CASE NO: 2150CONDUCT COMPLAINT

RESIDENT

BROWN, C.

DATE

6-8-00

TIME

11:40 A.M.

TIME AND DATE

OF HEARING 6-13-00 @ 0940

INCIDENT:

ON ABOVE DATE AND TIME RES. BROWN, C. REFUSED TO OBEY A ORDER TO LOCK-IN. RES. BROWN, C THEN TOOK POSSESSION OF THE MOP-RINGER. RES. BROWN, C REFUSED TO PUT THE MOP-RINGER DOWN. AFTER GETTING THE MOP-RINGER AWAY FROM RES. BROWN, C. HE THEN ASSAULTED THIS LT.

THE FOLLOWING ARE CLASS I MISCONDUCTS:

- (3) CONSPIRACY TO ESCAPE, RIOT, OR DISRUPT NORMAL INSTITUTION ROUTINE THAT COULD RESULT IN BODILY INJURY TO PERSONNEL OR INMATES.
- (5) THREATENING AN EMPLOYEE OR INMATE WITH BODILY HARM OR INJURY.
- (8) REFUSING TO OBEY AN ORDER.
- (11) INSOLENCE OR DISRESPECT TOWARD A STAFF MEMBER.
- (33) VIOLATION OF ADMINISTRATIVE DIRECTIVES NOT SPECIFICALLY ENUMERATED.
- (16) ASSAULTS AND FIGHTING. COMPLAINING OFFICER LT. Flanagan

RESIDENT WITNESSES:

- 1.
- 2.
- 3.
- 4.
- 5.
- 6.

STAFF WITNESSES:

- 1.
- 2.
- 3.
- 4.
- 5.
- 6.

SCHUYLKILL COUNTY PRISON**Pottsville, Pennsylvania****CASE NO: 2151****CONDUCT COMPLAINT****RESIDENT** BROWN, CHARLES**DATE** 08 JUN 2000**TIME** 1430 HRS**TIME AND DATE
OF HEARING** 6/13/00 @ 0930

INCIDENT: ON THE ABOVE DATE AND TIME, THIS C/O ALONG WITH C/O LAUDEMANN WERE CLEANING OUT BROWN'S CELL AFTER A CELL CHANGE. THE FOLLOWING ITEMS WERE FOUND: LIGHTERS, ASHTRAY AND PLASTIC BAGS WHICH ONCE HELD TOBACCO.

THE FOLLOWING ARE CLASS I MISCONDUCTS:

#3. POSSESSION OF OR INTRODUCTION OF CONTRABAND OR IMPLEMENTS OF ESCAPE.

#13. CONSPIRACY TO ESCAPE, RIOT OR DISRUPT NORMAL INSTITUTION ROUTINE THAT COULD RESULT IN SERIOUS INJURY TO PERSONNEL OR INMATES.

#19. POSSESSION OF OR USE OF DANGEROUS OR CONTROLLED SUBSTANCES.

#33 VIOLATION OF ADMINISTRATIVE DIRECTIVES NOT SPECIFICALLY ENUMERATED.

COMPLAINING OFFICER C/o BOWERS

RESIDENT WITNESSES:

1. _____
2. _____
3. _____
4. _____
5. _____
6. _____

STAFF WITNESSES:

1. C/o Launder
2. _____
3. _____
4. _____
5. _____
6. _____

#34. REPEATED VIOLATIONS OF CLASS II MISCONDUCTS:

**SCHUYLKILL COUNTY PRISON
ACCIDENT/INCIDENT REPORT**

(Use for fire, theft, damage, injuries, suicide attempts, reportable injuries, etc.)

Date 6-8-00 Person reporting _____

Time 11:40 AM. Shift Supervisor LT. FLANNERY

Name of individual report is about RES. BROWN, C.

Witness _____ Witness _____

INCIDENT:

ON ABOVE DATE AND TIME THIS LT. WAS CALLED TO F-BLK. UPON ENTERING F-BLK RES. BROWN, C WAS SITTING ON TOP OF THE TABLE. THIS LT. ORDERED RES. BROWN, C TO GET OFF THE TABLE. RES. BROWN, C REFUSED TO GET OFF THE TABLE. RES. BROWN, C STATED HE WAS NOT LOCKING UP UNTIL HE GOT SOMETHING TO EAT. HE STATED HE COULD NOT EAT WHAT WAS ON HIS LUNCH TRAY. HE STATED HE COULD NOT EAT WHAT WAS ON HIS TRAY BECAUSE HE HAD TWO TEETH EXTRACTED, TWO DAYS AGO. RES. WAS NOT PUT ON A SPECIAL TRAY BY THE MEDICAL DEPT.

Action taken/Disposition

Date _____ Warden _____

This LT. ORDERED RES BROWN TO LOCK-UP. RES. REFUSED TO FEE THIS ORDER HE THEN STATED TO BRING EVERYONE IN TO LOCK HIM UP. AT THIS TIME LT. FLANNERY WAS IN THE BLOCK

Schuykill County Prison

230 Sanderson Street
Pottsville PA 17901-1758

Accident Incident Report 9/95

Individual report is about _____

LONG WITH C/O'S BOWERS, & HERRING, AT THIS TIME WE LEFT THE BLOCK TO GET MORE CHIPS TO PITTSBURGH. WE LEFT

UPON RETURNING TO F-BLK WITH THE REST OF THE STAFF
TO PUT RES. BROWN, C IN HIS CELL, RES BROWN, C WAS IN
POSSESSION OF THE MOP-RINGER. THIS LT. ORDERED RES TO
PUT THE RINGER-DOWN. RES REFUSED TO. THIS LT ALONG WITH
EST OF THE C/J'S TO GET THE MOP-RINGER AWAY FROM
RES BROWN. AFTER GETTING RES. BROWN TO DROP THE RINGER
RES. BROWN, C ASSAULTED THIS LT. RES BROWN, C BECAME COMBATIVE.

SCHUYLKILL COUNTY PRISON
Pottsville, Pennsylvania

RESIDENT CHARLES BROWN
PRISON NO. _____

CASE NO: 2149, 2150, 2151
TIME: 1 PM
DATE: 6/13/00

RESULTS OF HEARING:

BOARD: DEP WARDEN BERDANIER
CHAIRED: COUNSELOR KRYJAK

RESIDENT AGREES TO HAVING ALL 3
COMPLAINTS HEARD AT ONE TIME

C/O MENDINSKY:

READ CONDUCT REPORT TO BOARD & RES. BROWN.

KRYJAK:

IS THE REPORT TRUE AS STATED?

RESIDENT PLEADS GUILTY WITHOUT THE COMPLAINTS TO BE READ.

ACKNOWLEDGES RECEIVING COPIES PRIOR TO HEARING.

KRYJAK:

DO YOU HAVE ANYTHING TO SAY?

BROWN:

I NEVER MEANT FOR PATSY OR DEVLIN TO GET HURT. I LET THEM GET
THE MOP WRINGER. I REMEMBER GRABBING FLANNERY, BUT I DON'T
REMEMBER PUNCHING HIM.

FINDING: X GUILTY NOT GUILTY

DISPOSITION: #2149-GUILTY BY OWN ADMISSION. ADMINISTRATIVE LOCKUP STATUS.

#2150-GUILTY BY OWN ADMISSION., #13-20 DAYS, #15-20 DAYS, #18-10 DAYS,
#31-20 DAYS, #33-10 DAYS - TOTAL 80 DAYS CS TO ANY PRESENT SENTENCE.
#2151-GUILTY BY OWN ADMISSION. #3-20 DAYS, #13-15 DAYS, #33-15 DAYS
TOTAL 50 DAYS CS TO OTHER SENTENCE CRIMINAL CHARGES PENDING*

ATTENDED HEARING: TO REMAIN IN CURRANT HOUSING STATUS. PENDING REVIEW BY PRISON
ADMINISTRATION.

1. _____

3. _____

2. D.W. E.H. Berdamer

4. _____

E.H. Berdamer
WARDEN'S SIGNATURE

SCHUYLKILL COUNTY PRISON

Pottsville, Pennsylvania

ORIGINOC

CONDUCT COMPLAINTCASE NO: 2215RESIDENT BROWN, CHARLESDATE 8-7-00TIME 9:10 AM

TIME AND DATE

OF HEARING 8:11:00 @ 0930

INCIDENT: On the above date and approx time Res Brown, c was going up the steps to top tier, this c/o informed Res Brown, c that he is not allowed on the top tier. Res Brown, c became very hostile towards this c/o and started to curse obscene language such as, "Fucker, mother fucker etc". C then told Res Brown, c to lock in and he refused stating that there is no fucker going to lock him in.

Misconducts:

18. Refusing to obey an order
31. Insolence or disrespect toward a staff member
33. Violation of administrative directives not specifically enumerated
29. Presence in an unauthorized area . another person's cell, on the wrong tier etc.

COMPLAINING OFFICER Nicely

96

RESIDENT WITNESSES:

1. _____
2. _____
3. _____
4. _____
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6. _____

STAFF WITNESSES:

1. % Hornung
2. _____
3. _____
4. _____
5. _____
6. _____

SCHUYLKILL COUNTY PRISON

Pottsville, Pennsylvania

RESIDENT Brown, Charles
PRISON NO. _____

CASE NO: 2215
TIME: 12:45
DATE: 8/11/00

RESULTS OF HEARING:

BOARD: DW BERDANIER, LT UHOLICK
CHAIRED: COUNSELOR KURDINSKY

C/O NEIDIG:

READ CONDUCT REPORT TO BOARD & RES. BROWN

KURDINSKY:

IS THE REPORT TRUE AS STATED?

NEIDIG:

YES.

KURDINSKY:

HOW DO YOU PLEA?

BROWN:

GUILTY.

KURDINSKY:

DO YOU HAVE ANYTHING TO SAY?

BROWN:

NO.

KURDINSKY:

DOES THE BOARD HAVE ANY QUESTIONS?

BOARD:

NO.

FINDING: GUILTY NOT GUILTY

DISPOSITION:

GUILTY BY OWN ADMISSION. ADMINISTRATIVE LOCKUP.
RELEASED TO STATE.

ATTENDED HEARING:

1. D.W. E.H. Berdainer

3. John Kunkley

2. A. Murphy Jr.

4. _____

Bill Z. Batten
WARDEN'S SIGNATURE